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FACSIMILE COVER LETTER

To: Ted Criares
Examining Attorney

Firm: United States Patent and Trademark Office

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From: Amy Leahy

Date: February 18, 2004

Re: U.S. Patent Application Serial No. 09/975,812
for "TOPICAL ANESTHETIC/OPIOID FORMULATIONS AND USES
THEREOF"
FLH Ref. No.: 830010-2002.2

Number of Pages: 5
(including cover page)

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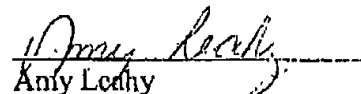
830010-2002.2
09/975,812**REMARKS**

Claims 11, 17-20, 23-26 and 36 and 37 are pending in the instant application. Claim 11 has been amended to clarify the subject matter of the present invention and to round out the scope of protection to which Applicants are entitled; i.e., the claim amendment was not made for the purpose of patentability within the meaning of 35 U.S.C. §§ 101, 102, 103, or 112. The amendment to claim 11 involves relocation of the term "synergistic" from the end phrase of the claim to now precede the recitation describing the morphine and lidocaine combination. No new matter is added. Reconsideration and withdrawal of all rejections of the application, and allowance of the claims, especially in view of the amendments and remarks made herein and the documents herewith, are respectfully requested.

In view of the remarks herewith, the application is in condition for allowance. Favorable reconsideration of the application and prompt issuance of a Notice of Allowance are earnestly solicited.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

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